

**Iowa Wing Safety Officer
Civil Air Patrol
United States Air Force Auxiliary
305 West Main Street
Washington, Iowa 52353
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Outline for Dealing with an Automobile Accident

PLAN I

If You Are a Driver

1. Stop. Stop as soon as you can without blocking traffic. Never drive away from an accident without offering your name and address to the other party.
2. Protect the Scene. Place flares or other signals on the highway to warn traffic that there has been an accident. Direct beam of flashlight toward oncoming traffic using a horizontal, left to right, motion to slow or stop traffic.
3. Assist Injured. Your very first obligation is to check on the condition of any injured person. If anyone is seriously injured, try to get a doctor or call an ambulance. Meanwhile, make the injured person comfortable but be careful not to move an injured person in any way that could possibly add to his injury. Any victim lying on the ground should be covered from the neck down. You must arrange for or transport the injured to a doctor or hospital if necessary or requested.
4. Notify Police. Report the accident at once to the sheriff of the county, or the nearest office of the State Patrol or other peace officer. Iowa State Patrol Emergency Phone: 1-800-525-5555.
5. Identify Other Driver. Get the other driver's name, address, and car license number. You must give your name, address and license number to him/her too, as well as to any person injured in the accident. Each driver has a right to see the other driver's license.
6. Witnesses. Obtain names and addresses of as many witnesses as you can. Try to get this information on the scene immediately.
7. Take Notes. Make your own written notes of all significant circumstances concerning the accident. Your notes should be as specific as possible.
8. Assist Police. Remain at the scene until the police, or sheriff or State Highway Patrol arrives, unless prevented by the necessity of transporting the injured to a doctor or a hospital, in which event return to the scene of the accident. If anyone is injured you must report the accident to the police or sheriff in any case. That means giving your name, address and license number and exhibiting your driver's license. You may also give the officer a brief account of the main circumstances, such as the direction each car was going, whether or not one car was speeding, etc.. But this information should not be given in the presence of persons other than the peace officer.
9. Comment. Don't comment on the accident except to the peace officer investigating the same. Keep your notes and information strictly to yourself. Admit nothing and sign nothing, even if you think you are in the wrong. You may learn later that you were not in the wrong or that the other driver was equally to be blamed or more so. Hasty, emotional admissions can be costly! There is plenty of time to admit blame later if the facts clearly show you alone were wrong. Remember: No one may force you to give details of the accident, either on the scene or at the police station. No one can force you to admit blame. You have a right

to see your attorney before making any statement. If the accident is serious, consult him/her as soon as you can.

10. See a Doctor. Have a doctor examine you if you are aware of any injury whatsoever. Serious and costly injuries do not always result in immediate pain or bloodshed.

11. Reports. If anyone is injured or if the property damage to the cars totals \$500 or more, you must report immediately to the local authorities and report in writing to the Department of Transportation within 72 hours. In addition, within cities of over 15,000 population, an accident report must be provided to the Chief of Police. You may obtain a form to fill out either from a law enforcement officer or from the Motor Vehicle Department. The information called for on this form is CONFIDENTIAL and cannot be used against you later in court. If injuries prevent you from making the report, have someone else in the car make it for you or make it yourself as soon as you are able to if you were alone. If you have an attorney or intend to employ one, have him/her approve this report before sending it in.

Drivers who strike unattended vehicles or fixtures legally upon or adjacent to a highway must either locate and notify the owner or person in charge, or leave a written notice in a conspicuous place on the vehicle struck, giving the names of the driver and owner and the circumstances.

12. Inform Insurance Company. Report to your insurance company or agent immediately. Failure to make a prompt report may void your insurance policy.

13. Pay Nothing. Make no immediate payments of any kind to the other party. Such a payment would be at your own cost. The other driver cannot force you to make any payment at all without taking legal procedure against you. Nor can he/she hold your car without legal action.

14. Select Your Own Attorney. Finally, be cautious in dealing with persons offering to adjust or handle your case, or anyone seeking to hurry you into a settlement. Select your own attorney to advise you.

PLAN II

If you are a passenger

1. Assist Injured. Human decency, not the law, requires you to check first on the condition of any injured person or persons and do what you can to obtain a doctor or ambulance if the accident is serious.

2. Identify Drivers. Obtain the name, address and license number of the other driver and ask to see a driver's license. Be sure you have the same information about your own driver.

3. Witnesses. Obtain names, and addresses of as many witnesses as possible.

4. Notes. Make your own written notes of all significant circumstances concerning the accident. Your notes should be as specific as possible.

5. See a Doctor. Have a doctor examine you if there is the slightest chance that you were injured. Serious injuries do not always result in immediate pain or bloodshed.

6. Reports. If the driver is physically incapable of making a report and a passenger is capable of making the report, the passenger must either make the report or cause it to be made.

7. Seeing a Lawyer. Consult your attorney promptly and give him/her all the facts, particularly names and addresses of person in the accident and witnesses, and the statements they made on the scene.

PLAN III

If you are a witness

Note: The law does not require you to do anything at all regarding an accident to which you are not a party. However, human decency and fair play impose a certain obligation upon you. You can assist in seeing that justice is done if you take the following steps:

1. Protect the Scene. Place signals on the highway to warn other traffic that there has been an accident.
2. Assist Injured. Your next concern is to do what you can to assist any injured person. Victims in shock or lying on the ground should be covered from the neck down. Be careful not to move any injured person in a way that might make his injury worse except to save his/her life.
3. License Numbers. Write down the license numbers and descriptions of both cars so that you can identify them later.
4. Take Notes. If you are called as a witness, it may be weeks or months before you are asked to tell exactly what you saw and heard. If you testify from careful notes made on the scene, you need not become confused on the witness stand. So write down as quickly as you can, and while the accident is fresh in your memory, exactly what you saw and heard pertaining to the accident. Try to write down facts, not impressions.
5. Give Name. Give your name and address to either driver or any injured party. You would want him or her to do as much for you if you were involved in the accident. You have no legal obligation to discuss the accident with anyone but there can be no objection to your telling anyone involved in the accident or any attorney representing someone involved just what you saw or heard.
6. Assist Police. You have no legal obligation to report an accident in which you are not involved, but your cooperation in giving the facts to a peace officer will help the officials to see that justice is done.
7. Testify. Be prepared to take the witness stand in court and tell what you saw and heard.

FINANCIAL RESPONSIBILITY

How to safeguard your driver's license.

If you are involved in a reportable traffic accident, **WHETHER YOU ARE AT FAULT OR NOT**, you must, in addition to reporting the accident to the Department of Transportation, be prepared to do ONE of these four things:

1. Be prepared to fill in the form on the bottom of the accident report which you procured from the Sheriff's office or police station, a statement showing the name of your insurance company, the number of your insurance policy and the name and address of the insurance agent from whom you purchased the policy. The Department of Transportation will then contact the indicated insurance company, advising the company that you claim to hold an insurance policy sufficient to cover at least \$10,000 to \$20,000 for personal injuries and \$5,000 for property damage. If you do not have such a policy in force, the insurance company will then notify the Department of Transportation and you will be required to do one of the following three things:
 2. (1.) Deposit with the Department of Transportation, cash or negotiable securities, or file a surety bond, in an amount set by the department, to give evidence of your financial ability to pay for property damage and personal injury resulting from the accident.
 3. (2.) Make settlement with all other parties involved in the accident and file a signed release with the Department of Transportation.
 4. (3.) Or, suffer the suspension of your driver's license and license plates, and stop driving.

If you do not turn in your license when so ordered, police officers will take it from you.

Finally, to drive a car while your driver's license is suspended or after it has been revoked is a crime punishable by fine and imprisonment.

This information is taken from a pamphlet prepared by the Iowa State Bar Association, and is based on Iowa law; and it is issued to inform and not to advise. No person should ever apply or interpret any law without the aid of a trained lawyer who knows the facts, because the facts may change the application of the law.

Following is an outline you may use to note the key facts concerning an accident.

Sketch the scene of your accident, writing in street or highway names or numbers.

1. Number each vehicle and show direction of travel by arrow;
Your vehicle is vehicle #1

2. Use solid line to show path before accident:
dotted line after accident:

3. Show pedestrian by:

4. Show railroad by:

5. Show distance and direction to landmarks. Identify landmarks by name or number.

6. Indicate North by arrow, as:

Name and address of any wrecker used:

Other conditions that might have a bearing on accident:

The following may be filled out either at the scene or shortly after leaving the scene

Date of Accident:

Time:

Location of Accident:

Type of road (grade, curve, etc.):

Speed of your car just before accident:

Legal limit there:

Speed of other car just before accident:

Direction of your car:

Direction of other car:

Were you or other driver turning:

Did other driver signal properly (with arm, horn, lights, etc.):

If at night, were the lights burning:

How far were you from the other car when you first saw it:

Other pertinent facts [name and address of witnesses, etc.]:

Name

Address

Name

Address

Special conditions to note immediately following accident

Position of your car after accident

Position of other car after accident

Location of any tire marks, blood, broken glass, dirt, etc., on road or side of road

Location of point of impact in relation to center of road or some physical object

Road conditions

Traffic conditions

Weather conditions

Traffic controls (traffic lights, stop signs, etc.)

Place of impact on other car

Accident Information Form

Fill Out This Form at the Scene of the Accident

The other driver and his car

Name of other driver

Street address

City/State/Zip

Vehicle registration (license plate) number

Make/Type/Year of Car

Driver's License Number

Has he/she apparently been drinking

Any verbal statement made by other driver as to cause of accident

Names and address of passengers in other car

Name

Address

Name

Address

Name

Address

Names and address of all possible witnesses to any fact

Name _____

Address _____

Name _____

Address _____